

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Gina Barbara, <i>Individually and on Behalf of All Others Similarly Situated</i> , <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">-v-</div> Ivyrehab Peak Performance, LLC, <div style="text-align: center;">Defendant.</div>	2:24-cv-3775 (NJC) (JMW)
---	-----------------------------

ORDER

NUSRAT J. CHOUDHURY, United States District Judge:

The Court has been advised that all claims asserted herein have been settled in principle. (ECF No. 19.) The above-entitled action is therefore DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within forty-five days** of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed by the aforementioned deadline; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per the Court’s Individual Rule 10, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are dismissed as moot. All conferences are cancelled. The Clerk of Court is directed to close the case.

Dated: Central Islip, New York
March 18, 2025

/s/ Nusrat J. Choudhury
NUSRAT J. CHOUDHURY
United States District Judge